

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Grychowski et al.
Appln. No.: 10/774,751
Filed: February 9, 2004
For: VENTILATOR CIRCUIT AND THE
METHOD FOR THE USE THEREOF
Attorney Docket No.: 6298-449

Examiner: Patel, Nihir B.
Art Unit: 3772
Conf. No.: 6148

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FEB 04 2010

OFFICE OF PETITIONS

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)

Sir:

Applicant(s) requests continued examination of the above-identified application under 37 CFR §1.114.

☒ Submission under 37 CFR 1.114 (check at least one of the following):

☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 CFR §1.116 previously filed on _____
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ☐ Other: _____

☒ Attached is/are:

- ☒ An Information Disclosure Statement
- ☐ An Amendment to the written description, claims, or drawings
- ☐ New Arguments and/or New Evidence in support of Patentability
- ☒ Petition Under 37 CFR §1.313(c) to Withdraw Application from Issue

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☐ Request for suspension of action:

Applicant(s) hereby requests suspension of action on the above-identified application under 37 C.F.R. §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 CFR §1.17(i)).

☐ Small Entity Status:

☐ Applicant(s) hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicant(s) calculates the following fees to be due in connection with this Request:

☒ A Request fee of \$810.00 under 37 CFR §1.17(e).

☐ An additional filing fee of \$ _____ under 37 CFR §1.16 (_____ additional independent claims and/or _____ additional total claims).

☐ An extension fee of \$ _____ under 37 CFR §1.17(a) for a _____-month extension of time. A Petition and Fee for Extension of Time is also enclosed.

☒ Fee payment to cover the above-enumerated fee(s):

☐ A check in the amount of \$ _____ is enclosed.

☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$810.00.

☐ A payment by credit card in the amount of \$ _____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,



February 4, 2010

Date

Andrew D. Stover (Reg. No. 38,629)